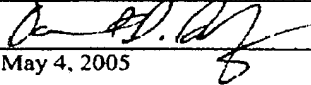



MAY 04 2005

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/622,772
		Filing Date	07/21/2003
		First Named Inventor	Marc ROHRSCHEIDER
		Group Art Unit	3752
		Examiner Name	Christopher S. Kim
Total Number of Pages in This Submission	2	Attorney Docket Number	740116-490

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Election <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David S. Safran, Reg. No. 27,997 Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	May 4, 2005

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
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May 4, 2005 Date	 Signature Kathleen M. McManus Typed or printed name

MAY 04 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 3752
Marc ROHRSCHEIDER) Examiner: Christopher S. Kim
Serial No. 10/622,772) Confirmation No. 4231
Filed: 07/21/2003)
For: FINGER OPERATED SPRAY PUMP)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: Fax No. (703) 872-9306 on May 4, 2005.


Kathleen M. McManus

ELECTION

U.S. Patent and Trademark Office
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Sir:

In response to the election of species requirement contained in the Office Action mailed April 4, 2005, applicant hereby elects Species C, Figure 3, for examination in the event that a generic claim is not found to be allowable. Furthermore, in addition to claims 1 and 35 which have been indicated to be generic by the Examiner, claims 2-6, 16-18, 29-34, 36, 37, are readable on all of the species, and claims 8, 12-14, 19, 23-26, 39, 43, & 44 are readable on at least the elected specie.

In view of the foregoing, a prompt action on the merits of claims 1-6, 8, 12-14, 16-19, 23-26, 29-34, 36, 37, 39, 43, & 44 is requested along with rejoinder of the non-elected claims should any of claims 1-6, 16-18, and 29-37 be found to be allowable. However, it is noted that the undersigned is awaiting receipt of references for inclusion in an Information Disclosure Statement. Therefore, it is requested that action be delayed for a week to allow for submission of the Information Disclosure Statement.

Respectfully submitted,

By: 

David S. Safran
Registration No. 27,997

Customer No. 22204
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